

108TH CONGRESS
1ST SESSION

S. 575

To amend the Native American Languages Act to provide for the support of Native American language survival schools, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 7, 2003

Mr. INOUE introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

To amend the Native American Languages Act to provide for the support of Native American language survival schools, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Native American Lan-
5 guages Act Amendments Act of 2003”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

8 (1) to encourage and support, consistent with
9 the policy of the United States as expressed in the

1 Native American Languages Act (25 U.S.C. 2901 et
2 seq.)—

3 (A) the development of Native American
4 language survival schools as innovative means
5 of addressing the effects of past discrimination
6 against Native American language speakers;
7 and

8 (B) the revitalization of Native American
9 languages through—

10 (i) education in Native American lan-
11 guages; and

12 (ii) instruction in other academic sub-
13 jects using Native American languages as
14 an instructional medium;

15 (2) to demonstrate the positive effects of Native
16 American language survival schools on the academic
17 success of Native American students and the stu-
18 dents' mastery of standard English;

19 (3) to encourage and support the involvement
20 of families in the educational and cultural survival
21 efforts of Native American language survival schools;

22 (4) to encourage communication, cooperation,
23 and educational exchange among Native American
24 language survival schools and the administrators of
25 Native American language survival schools;

1 (5) to provide support for Native American lan-
2 guage survival school facilities and endowments;

3 (6) to provide support for Native American lan-
4 guage nests—

5 (A) as part of Native American language
6 survival schools; or

7 (B) as separate programs that will be de-
8 veloped into more comprehensive Native Amer-
9 ican language survival schools;

10 (7) to support the development of local and na-
11 tional models that can be disseminated to the public
12 and made available to other schools as exemplary
13 methods of teaching Native American students; and

14 (8) to develop a support center system for Na-
15 tive American language survival schools at the uni-
16 versity level.

17 **SEC. 3. DEFINITIONS.**

18 Section 103 of the Native American Languages Act
19 (25 U.S.C. 2902) is amended to read as follows:

20 **“SEC. 103. DEFINITIONS.**

21 “In this title:

22 “(1) **ELEMENTARY SCHOOL.**—The term ‘ele-
23 mentary school’ has the meaning given the term in
24 section 9101 of the Elementary and Secondary Edu-
25 cation Act of 1965 (20 U.S.C. 7801).

1 “(2) INDIAN.—The term ‘Indian’ has the mean-
 2 ing given the term in section 7151 of the Elemen-
 3 tary and Secondary Education Act of 1965 (20
 4 U.S.C. 7491).

5 “(3) INDIAN RESERVATION.—The term ‘Indian
 6 reservation’ has the meaning given the term ‘res-
 7 ervation’ in section 3 of the Indian Financing Act of
 8 1974 (25 U.S.C. 1452).

9 “(4) INDIAN TRIBAL GOVERNMENT.—The term
 10 ‘Indian tribal government’ has the meaning given
 11 the term in section 502 of the Indian Environmental
 12 General Assistance Program Act of 1992 (42 U.S.C.
 13 4368b).

14 “(5) INDIAN TRIBE.—The term ‘Indian tribe’
 15 has the meaning given the term in section 4 of the
 16 Indian Self-Determination and Education Assistance
 17 Act (25 U.S.C. 450b).

18 “(6) NATIVE AMERICAN.—The term ‘Native
 19 American’ means—

20 “(A) an Indian;

21 “(B) a Native American Pacific Islander;

22 and

23 “(C) a Native Hawaiian.

1 “(7) NATIVE AMERICAN LANGUAGE.—The term
2 ‘Native American language’ means a historical, tra-
3 ditional language spoken by Native Americans.

4 “(8) NATIVE AMERICAN LANGUAGE COLLEGE.—
5 The term ‘Native American language college’
6 means—

7 “(A) a tribally controlled college or univer-
8 sity (as defined in section 2 of the Tribally Con-
9 trolled College or University Assistance Act of
10 1978 (25 U.S.C. 1801));

11 “(B) a college that is applying for, or has
12 obtained, funds under section 109 for a Native
13 American language survival school in a Native
14 American language that—

15 “(i) the college regularly offers as
16 part of the curriculum of the college; and

17 “(ii) has the support of an Indian
18 tribal government traditionally affiliated
19 with the Native American language; and

20 “(C) Ka Haka ‘Ula O Ke’elikolani College.

21 “(9) NATIVE AMERICAN LANGUAGE EDU-
22 CATIONAL ORGANIZATION.—The term ‘Native Amer-
23 ican language educational organization’ means an
24 organization that—

25 “(A) is governed by a board consisting—

1 “(i) primarily of Native Americans;
2 and

3 “(ii) as many speakers of 1 or more
4 Native American languages as practicable;

5 “(B) is currently providing instruction
6 through the use of a Native American language
7 to at least 10 preschool, elementary school, or
8 secondary school students for at least 700
9 hours per year per student;

10 “(C) has provided instruction through the
11 use of a Native American language to at least
12 10 preschool, elementary school, or secondary
13 school students for at least 700 hours per year
14 per student for a period of not less than 3 years
15 before the date of application for a grant or
16 contract under this title; and

17 “(D) may be a public school that meets the
18 requirements of subparagraphs (A), (B), and
19 (C).

20 “(10) NATIVE AMERICAN LANGUAGE NEST.—

21 The term ‘Native American language nest’ means a
22 site-based educational program that—

23 “(A) enrolls families with children under
24 the age of 7;

1 “(B) is conducted through a Native Amer-
 2 ican language for at least 700 hours per year
 3 per student; and

4 “(C) has the specific goal of strengthening,
 5 revitalizing, or reestablishing a Native Amer-
 6 ican language and culture as a living language
 7 and culture of daily life.

8 “(11) NATIVE AMERICAN LANGUAGE SURVIVAL
 9 SCHOOL.—The term ‘Native American language sur-
 10 vival school’ means a site-based educational pro-
 11 gram—

12 “(A) in which a Native American language
 13 is dominant;

14 “(B) that expands from a Native American
 15 language nest, as a separate entity or inclusive
 16 of a Native American language nest, to enroll
 17 families with children eligible for elementary
 18 school or secondary school; and

19 “(C) that provides a complete education
 20 through a Native American language with the
 21 specific goal of strengthening, revitalizing, or
 22 reestablishing a Native American language and
 23 culture as a living language and culture of daily
 24 life.

1 “(12) NATIVE AMERICAN PACIFIC ISLANDER.—
 2 The term ‘Native American Pacific Islander’ means
 3 any descendant of the aboriginal people of any is-
 4 land in the Pacific Ocean that is a territory or pos-
 5 session of the United States.

6 “(13) NATIVE HAWAIIAN.—The term ‘Native
 7 Hawaiian’ has the meaning given the term in section
 8 7207 of the Elementary and Secondary Education
 9 Act of 1965 (20 U.S.C. 7517).

10 “(14) SECONDARY SCHOOL.—The term ‘sec-
 11 ondary school’ has the meaning given the term in
 12 section 9101 of the Elementary and Secondary Edu-
 13 cation Act of 1965 (20 U.S.C. 7801).

14 “(15) SECRETARY.—The term ‘Secretary’
 15 means the Secretary of Education.

16 “(16) TRIBAL ORGANIZATION.—The term ‘trib-
 17 al organization’ has the meaning given the term in
 18 section 4 of the Indian Self-Determination and Edu-
 19 cation Assistance Act (25 U.S.C. 450b).”.

20 **SEC. 4. NATIVE AMERICAN LANGUAGE NESTS AND SUR-**
 21 **VIVAL SCHOOLS.**

22 The Native American Languages Act (25 U.S.C.
 23 2901 et seq.) is amended by adding at the end the fol-
 24 lowing:

1 **“SEC. 108. NATIVE AMERICAN LANGUAGE NESTS.**

2 “(a) IN GENERAL.—The Secretary may make grants
3 to, or enter into contracts with, Native American language
4 educational organizations, Native American language col-
5 leges, Indian tribal governments, organizations that dem-
6 onstrate the potential to become Native American lan-
7 guage educational organizations, or consortia of such enti-
8 ties for the purpose of establishing Native American lan-
9 guage nests for—

10 “(1) students under the age of 7; and

11 “(2) families of the students.

12 “(b) REQUIREMENTS.—A Native American language
13 nest receiving funds under this section shall—

14 “(1) provide instruction and child care through
15 the use of a Native American language for at least
16 10 children under the age of 7 for at least 700
17 hours per year per student;

18 “(2) provide compulsory classes in a Native
19 American language for parents of students enrolled
20 in a Native American language nest (including Na-
21 tive American language-speaking parents);

22 “(3) provide compulsory monthly meetings for
23 parents and other family members of students en-
24 rolled in a Native American language nest;

1 “(4) provide a preference in enrollment for stu-
 2 dents and families who are fluent in a Native Amer-
 3 ican language;

4 “(5) receive at least 5 percent of the funding
 5 for the program from another source, which may in-
 6 clude any federally funded program (such as a Head
 7 Start program funded under the Head Start Act (42
 8 U.S.C. 9831 et seq.)); and

9 “(6) ensure that a Native American language
 10 becomes the dominant medium of instruction in the
 11 Native American language nest not later than 6
 12 years after the date on which the Native American
 13 language nest first receives funding under this title.

14 **“SEC. 109. NATIVE AMERICAN LANGUAGE SURVIVAL**
 15 **SCHOOLS.**

16 “(a) IN GENERAL.—The Secretary may make grants
 17 to, or enter into contracts with, Native American language
 18 educational organizations, Native American language col-
 19 leges, Indian tribal governments, or consortia of such enti-
 20 ties, to operate, expand, and increase the number of Na-
 21 tive American language survival schools throughout the
 22 United States and the territories of the United States for
 23 Native American children and Native American language-
 24 speaking children.

1 “(b) ELIGIBILITY.—As a condition of receiving funds
 2 under subsection (a), a Native American language edu-
 3 cational organization, a Native American language college,
 4 an Indian tribal government, or a consortium of such enti-
 5 ties—

6 “(1) shall have at least 3 years experience in
 7 operating and administering—

8 “(A) a Native American language survival
 9 school;

10 “(B) a Native American language nest; or

11 “(C) any other educational program in
 12 which instruction is conducted in a Native
 13 American language;

14 “(2) shall include students who are subject to
 15 State compulsory education laws; and

16 “(3) may include—

17 “(A) students from infancy through grade
 18 12; and

19 “(B) the families of the students.

20 “(c) PRIORITY.—In making grants or entering into
 21 contracts under this section, the Secretary shall give pri-
 22 ority to—

23 “(1) the provision of direct educational services;

24 “(2) applicants that have the support of each
 25 appropriate tribal government; and

1 “(3) applicants that have researched language
2 revitalization and the unique characteristics and cir-
3 cumstances of the languages of their schools.

4 “(d) USE OF FUNDS.—

5 “(1) REQUIRED USES.—A Native American lan-
6 guage survival school receiving funds under this sec-
7 tion—

8 “(A) shall consist of not less than 700
9 hours of instruction per student conducted an-
10 nually through 1 or more Native American lan-
11 guages for at least 15 students for whom a Na-
12 tive American language survival school is their
13 principal place of instruction;

14 “(B) shall provide direct educational serv-
15 ices and school support services to students,
16 which may include—

17 “(i) support services for children with
18 special needs;

19 “(ii) transportation;

20 “(iii) boarding;

21 “(iv) food service;

22 “(v) teacher and staff housing;

23 “(vi) purchase of basic materials;

24 “(vii) adaptation of teaching mate-
25 rials;

1 “(viii) translation and development;

2 and

3 “(ix) other appropriate services;

4 “(C)(i) shall provide direct or indirect edu-
 5 cational and support services for the families of
 6 enrolled students on site, through colleges, or
 7 through other means to increase the families’
 8 knowledge and use of the Native American lan-
 9 guage and culture; and

10 “(ii) may impose a requirement of family
 11 participation as a condition of student enroll-
 12 ment; and

13 “(D) shall ensure that within 3 years of
 14 enrollment, all students achieve functional flu-
 15 ency in a Native American language that is ap-
 16 propriate to the unique circumstances and
 17 endangerment status of the Native American
 18 language, with the ultimate goal of academic or
 19 cognitive fluency.

20 “(2) PERMISSIBLE USES.—A Native American
 21 language survival school receiving funds under this
 22 section may—

23 “(A) include Native American language
 24 nests and other educational programs for stu-
 25 dents who—

1 “(i) are not Native American lan-
2 guage speakers; but

3 “(ii) seek—

4 “(I) to establish fluency through
5 instruction in a Native American lan-
6 guage; or

7 “(II) to reestablish fluency as de-
8 scendants of Native American lan-
9 guage speakers;

10 “(B) provide instruction through more
11 than 1 language;

12 “(C) provide instruction through a regional
13 program (as opposed to 1 site) to better serve
14 geographically dispersed students;

15 “(D) include a program of concurrent and
16 summer college or university education course
17 enrollment for secondary school students en-
18 rolled in the Native American language survival
19 school;

20 “(E) provide special support for Native
21 American languages for which there are very
22 few or no remaining Native American language
23 speakers;

24 “(F) develop comprehensive curricula in
25 Native American language instruction and in-

1 instruction through Native American languages,
 2 including—

3 “(i) curricula that can be used by
 4 public schools for—

5 “(I) instruction through a Native
 6 American language; or

7 “(II) teaching Native American
 8 languages as subjects;

9 “(ii) community Native American lan-
 10 guage use in communities served by Native
 11 American language survival schools; and

12 “(iii) knowledge of a specific Native
 13 American language gained through re-
 14 search for the purpose of directly aiding
 15 the development of curriculum materials;

16 “(G) provide programs in pre-service and
 17 in-service teacher training, staff training, per-
 18 sonnel development, upgrading of teacher and
 19 staff skills, and community resource develop-
 20 ment training, that shall include a program
 21 component that has as the objective of the pro-
 22 gram component increased speaking proficiency
 23 in Native American languages for teachers and
 24 staff employed in Native American language

1 survival schools and Native American language
2 nests, which may include—

3 “(i) visits or exchanges among Native
4 American language survival schools and
5 Native American language nests of teach-
6 ers, staff, students, or families of students;

7 “(ii) participation in conferences or
8 special nondegree programs focusing on
9 the use of 1 or more Native American lan-
10 guages for the education of teachers, staff,
11 students, or families of students;

12 “(iii) subject to paragraph (3), full or
13 partial scholarships and fellowships to col-
14 leges or universities—

15 “(I) to provide for the profes-
16 sional development of faculty and
17 staff;

18 “(II) to meet requirements for
19 the involvement of the family or the
20 community of Native American lan-
21 guage survival school students in Na-
22 tive American language survival
23 schools; and

1 “(III) to develop resource per-
 2 sonnel for Native American language
 3 programs in public schools;

4 “(iv) training in the language and cul-
 5 ture associated with a Native American
 6 language survival school that is provided
 7 by a community or academic expert, in-
 8 cluding credit courses;

9 “(v) structuring of personnel oper-
 10 ations to support Native American lan-
 11 guage and cultural fluency and program
 12 effectiveness;

13 “(vi) Native American language plan-
 14 ning, documentation, reference material,
 15 and archives development; and

16 “(vii) recruitment for participation in
 17 teacher, staff, student, and community de-
 18 velopment; or

19 “(H) rent, lease, purchase, construct,
 20 maintain, or repair educational facilities to en-
 21 sure the academic achievement of Native Amer-
 22 ican language survival school students.

23 “(3) REQUIREMENTS FOR RECIPIENTS OF FEL-
 24 LOWSHIPS OR SCHOLARSHIPS.—A recipient of a fel-
 25 lowship or scholarship under paragraph (2)(G)(iii)

1 who is enrolled in a program leading to a degree or
2 certificate shall—

3 “(A) be trained in the Native American
4 language of the Native American language sur-
5 vival school, if such program is available
6 through that Native American language;

7 “(B) complete a minimum annual number
8 of hours in Native American language study or
9 training during the period of the fellowship or
10 scholarship; and

11 “(C) enter into a contract that obligates
12 the recipient to provide the recipient’s profes-
13 sional services, during the period of the fellow-
14 ship or scholarship or on completion of a degree
15 or certificate, in Native American language in-
16 struction in the Native American language as-
17 sociated with the Native American language
18 survival school in which the service obligation is
19 to be fulfilled.

20 **“SEC. 110. DEMONSTRATION PROGRAMS.**

21 “(a) ESTABLISHMENT.—The Secretary shall make
22 grants, or enter into contracts, to establish 3 demonstra-
23 tion programs that will provide assistance to Native Amer-
24 ican language survival schools and Native American lan-
25 guage nests.

1 “(b) LOCATIONS AND PURPOSES.—The demonstra-
2 tion programs shall be established at—

3 “(1) Ka Haka ‘Ula O Ke‘elikolani College of
4 the University of Hawaii at Hilo, in consortium with
5 the ‘Aha Punana Leo, Inc., and with other entities
6 if determined to be appropriate by the College—

7 “(A) for the conduct of a demonstration
8 program in the development and operation of
9 the various components of a regional Native
10 American language survival school program and
11 college level Native American language teaching
12 and use that is supportive of Native American
13 language survival schools; and

14 “(B) for the provision of assistance in the
15 establishment, operation, and administration of
16 Native American language nests and Native
17 American language survival schools by such
18 means as—

19 “(i) training;

20 “(ii) hosting informational visits to
21 demonstration sites; and

22 “(iii) providing a national clearing-
23 house for data and information relevant
24 to—

1 “(I) teaching Native American
2 languages;

3 “(II) conducting outreach;

4 “(III) offering courses;

5 “(IV) providing conferences; and

6 “(V) carrying out other activities;

7 “(2) Piegan Institute of Browning, Montana,
8 for demonstration of the operation of a Native
9 American language nest and Native American lan-
10 guage survival school; and

11 “(3) the Alaska Native Language Center of the
12 University of Alaska at Fairbanks, in consortium
13 with other entities as the Center determines to be
14 appropriate, for the conduct of a demonstration pro-
15 gram, training, outreach, conferences, and visitation
16 programs, and for provision of other assistance, in
17 developing—

18 “(A) orthographies;

19 “(B) resource materials;

20 “(C) language documentation;

21 “(D) language preservation;

22 “(E) material archiving; and

23 “(F) community support development.

24 “(c) USE OF TECHNOLOGY.—The demonstration pro-
25 grams established under this section may employ syn-

1 chronic and asynchronous telecommunications and other ap-
2 propriate means to maintain coordination and cooperation
3 among the programs and with participating Native Amer-
4 ican language survival schools and Native American lan-
5 guage nests.

6 “(d) SITE VISIT EVALUATIONS.—The demonstration
7 programs established under this section shall provide di-
8 rection to the Secretary in developing a site visit evalua-
9 tion of Native American language survival schools and Na-
10 tive American language nests.

11 “(e) FOLLOWUP AND DATA COLLECTION.—A dem-
12 onstration program established under this section may
13 conduct followup data collection and analysis on students
14 while the students are in school—

15 “(1) to assess how Native American language
16 survival school students are performing in compari-
17 son with other students; and

18 “(2) to identify instructional methods that are
19 working and instructional methods that are not
20 working.

21 “(f) ENDOWMENTS AND FACILITIES.—A demonstra-
22 tion program established under this section may—

23 “(1) establish endowments to further the activi-
24 ties of the demonstration program relating to the

1 study and preservation of Native American lan-
2 guages; and

3 “(2) use funds to provide for the rental, lease,
4 purchase, construction, maintenance, and repair of
5 facilities.

6 **“SEC. 111. AUTHORIZATION OF APPROPRIATIONS.**

7 “There are authorized to be appropriated to carry out
8 this title such sums as are necessary for each of fiscal
9 years 2004 through 2009.”.

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